

Appl. No. 09/729,569
Reply to Office Action of January 23, 2006

REMARKS

This Response is submitted in reply to the Office Action dated January 23, 2006, issued in connection with the above-identified application. Claims 1-3 and 5-26 are all the claims pending in the application. Claim 4 was previously canceled without prejudice. With this Response, claims 1, 7-8, 14 and 21 have been amended. However, no new matter has been introduced by the amendments made to the claims. Thus, entry and favorable reconsideration are respectfully requested.

I. Response To Claim Rejections

Claims 1-3 and 5-26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Sehr (U.S. Patent No. 6,085,976, hereafter "Sehr") in view of Hoshino et al. (U.S. Patent No. 6,088,680, hereafter "Hoshino"). The Applicants traverse the above rejections for the following reasons.

To expedite prosecution, the Applicants have herein amended independent claims 1, 7-8, 14 and 21 to further distinguish the present invention from the prior art of record. In particular, the independent claims have been amended to more particularly point out the transferability of rights information to other portable electronic devices. The proposed claim changes are believed to be fully supported by the Applicants' disclosure. (See, Applicants' application, pages 10-13 and 26-28).

The present invention is directed to an apparatus, system, method and computer program for distributing rights information for access to events that include the use of portable electronic devices. In particular, one electronic device is an encoder/decoder that generates a ticket code based on a purchased ticket and notifies a user regarding the ticket code. The user can receive the ticket code offline. When a user purchases a plurality of tickets, the same corresponding number of ticket codes are also issued. The user records the concert and rights information on a portable electronic device, such as an IC card. The IC card is carried to the concert or other event to gain access. An important feature of the invention is that a user is able to transfer rights information for access to an event to other users of portable electronic devices (e.g., IC cards). Not all of the above features of the present invention are believed to be disclosed, taught or suggested by Sehr or Hoshino, individually or in combination.

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Sehr is directed to travel system and method that includes a plurality of service providers and a multi-application passenger card, wherein the passenger card can be an IC card. The IC card allows a single passenger to purchase and use a plurality of travel related goods and services via the passenger card. In the Office Action (page 8), the Examiner indicates that Sehr suggests the ability to transfer rights information. (See, Sehr, Col. 9, lines 15-19). However, the Applicants respectfully suggest that the Examiner has misinterpreted the above teaching of the reference for the following reasons. Sehr at Col. 9, lines 15-19 teaches or suggests only that a user or passenger is able to manipulate the contents of a card, such as add, delete or change travel information on a passenger card. Nowhere does Sehr teach or suggest the transfer of purchased travel services to another holder of a passenger card. In fact, due to security concerns related to travel, it is logical that Sehr would actually prevent such a practice. To that end, Sehr teaches away from the transferability of rights information.

Moreover, after a detailed review of Hoshino, the reference fails to overcome the deficiencies noted above in Sehr to render obvious any claims of the present invention. Accordingly, even if it were appropriate to combine the teachings of Sehr and Hoshino, the combination still would not teach or suggest all the features recited in the claims, as amended. In particular, an apparatus, system, method and computer program for distributing rights information that includes the ability to transfer rights information to other portable electronic devices.

Independent claims 1, 7-8, 14 and 21 (as amended) are believed to be distinguishable over Sehr in view of Hoshino for at least the reasons noted above. Likewise, dependent claims 2-3, 5-6, 9-13, 15-20 and 22-26 are also believed to be distinguishable over Sehr in view of Hoshino based on their respective dependencies on independent claims 1, 8, 14 and 21.

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II. Conclusion

In light of the above, the Applicants respectfully submit that claims 1-3 and 5-26 are patentable over the prior art of record. Accordingly, the Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Commissioner is authorized to deduct such fees from deposit account no. 02-1818.

Respectfully submitted,

BY 

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